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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	<b>CASE NO. CR 15-0319 RS</b>
	)	
Plaintiff,	)	<b>APPLICATION OF THE UNITED STATES FOR</b>
	)	<b>A PRELIMINARY ORDER OF FORFEITURE</b>
v.	)	
	)	
SHAUN W. BRIDGES,	)	
	)	
Defendant.	)	

The United States of America, by and through the undersigned Assistant United States Attorneys, respectfully submit this Application of the United States for Issuance of a Preliminary Order of Forfeiture in the above-captioned case. In support thereof, the United States sets forth the following:

On June 16, 2015, defendant Shaun W. Bridges was charged by information with violations of Title 18, United States Code, Section 1957 (Money Laundering), and Title 18, United States Code, Section 1512(c)(2) (Obstruction of Justice). The information also sought criminal forfeiture, pursuant to Title 18, United States Code, Section 982(a)(1) (Money Laundering Forfeiture); Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c) (Obstruction of Justice)

Forfeiture) of the following, including but not limited to:

- a. any property, real or personal, involved in any such offense, or any property traceable to such property, including but not limited to a money judgment equivalent to the amount of property involved in the violation of 18 U.S.C. § 1957(a); and
- b. any property, real or personal, which constitutes or is derived from proceeds traceable to the offense, including but not limited to a money judgment equivalent to the amount of property involved in the violation of 18 U.S.C. §§ 1512(c)(2) and (2).

On August 31, 2015, defendant Shaun W. Bridges, pled guilty to Counts One and Two of the information, namely, Title 18, United States Code, Section 1597 (Money Laundering), and Title 18, United States Code, Section 1512(c)(2) (Obstruction of Justice), and agreed to forfeit, to the United States, the following property:

- a. \$165,529.88 from defendants Fidelity Brokerage Account, held in the name of Quantum Investments;
- b. \$306,000 held in trust by defendants attorney of record; and
- c. \$4,745.92 from defendants PNC Bank Account, jointly held in the name of Shawn Bridges and a person known to the parties,

(hereinafter "subject property").

Defendant further admitted that the subject property constitutes money involved in money laundering and/or proceeds from obstruction of justice and wire fraud, and thus is forfeitable to the United States pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(c); Title 18, United States Code, Section 982(a)(1)(A); Title 28, United States Code, Section 2461(c) and the procedures outlined in Rule 32.2 of the Federal Rules of Criminal Procedure and Title 21, United States Code, Section 853.

Defendant further agreed to pay a Money Judgment in the amount of \$651,000.00 and admitted that the Money Judgment constitutes the net proceeds obtained, directly or indirectly as a result of violation of Title 18, United States Code, Section 1343; Title 18, United States Code, Section 1957, and Title 18, United States Code, Section 1512(c)(2), defendant further agreed that the assets identified in letters (a) - (c) can be forfeited and will be used to offset the Money Judgment.

Rule 32.2 (b)(1) of the Federal Rules of Criminal Procedure provides that as soon as practicable after entering a guilty verdict or accepting a plea of guilty or nolo contendere on any count in an

1 indictment or information with regard to which criminal forfeiture is sought, the court shall determine  
2 what property is subject to forfeiture under the applicable statute. If forfeiture of specific property is  
3 sought, the court shall determine whether the government has established the requisite nexus between  
4 the property and the offense. If the government seeks a personal money judgment against the defendant,  
5 the court shall determine the amount of money that the defendant will be ordered to pay. The court's  
6 determination may be based on evidence already in the record, including any written plea agreement or,  
7 if the forfeiture is contested, on evidence or information presented by the parties at a hearing after the  
8 verdict or finding of guilt.

9 Pursuant to Rule 32.2(b)(2), if the court finds that property is subject to forfeiture, it shall  
10 promptly enter a preliminary order of forfeiture setting forth the amount of any money judgment or  
11 directing the forfeiture of specific property without regard to any third party's interest in all or part of it.  
12 Determining whether a third party has such an interest shall be deferred until any third party files a claim  
13 in an ancillary proceeding under Rule 32.2(c).

14 Rule 32.2(b)(3) further provides that the entry of a preliminary order of forfeiture authorizes the  
15 Attorney General (or a designee) to seize the specific property subject to forfeiture; to conduct any  
16 discovery the court considers proper in identifying, locating, or disposing of the property; and to  
17 commence proceedings that comply with any statutes governing third-party rights. At sentencing - or at  
18 any time before sentencing if the defendant consents - the order of forfeiture becomes final as to the  
19 defendant and shall be made part of the sentence and included in the judgment. The court may include  
20 in the order of forfeiture conditions reasonably necessary to preserve the property's value pending any  
21 appeal.

22 Pursuant to his plea, the United States has established the requisite nexus between the subject  
23 property and the offenses to which the defendant admitted. Accordingly, that property is subject to  
24 forfeiture to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(c); Title 18,  
25 United States Code, Section 982(a)(1)(A), and Title 28, United States Code, Section 2461(c).

26 Upon the issuance of a Preliminary Order of Forfeiture and pursuant to Title 21, United States  
27 Code, Section 853(n), and Rule G(4)(a)(iv) of the Supplemental Rules for admiralty or Maritime Claims  
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1 and Asset Forfeiture Actions, the United States will publish on [www.forfeiture.gov](http://www.forfeiture.gov), a government  
2 website for at least thirty days, notice of this Order, notice of its intent to dispose of the property in such  
3 manner as the Attorney General may direct and notice that any person, other than the defendant, having  
4 or claiming a legal interest in the property must file a petition with the Court and serve a copy on  
5 Kathryn Haun, Assistant United States Attorney, 450 Golden Gate Ave., Box 36055, San Francisco, CA  
6 94102 and/or Arvon J. Perteet, Assistant United States Attorney, 450 Golden Gate Ave., Box 36055,  
7 San Francisco, CA 94102, within thirty (30) days of the final publication of notice or of receipt of actual  
8 notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate  
9 the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under  
10 penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the  
11 forfeited property and any additional facts supporting the petitioner's claim and the relief sought. The  
12 United States may also, to the extent practicable, provide direct written notice to any person known to  
13 have alleged an interest in the property that is the subject of the Preliminary Order of Forfeiture, as a  
14 substitute for published notice as to those persons so notified.

15 WHEREFORE, the United States respectfully requests that this Court enter a Preliminary Order  
16 of Forfeiture which provides for the following:

17 a. authorizes the forfeiture of the subject property to the United States and entry of a money  
18 judgment in the amount of \$651,000.00;

19 b. directs the United States, through its appropriate agency, to seize the forfeited property  
20 forthwith;

21 c. authorizes the government to conduct discovery in order to identify, locate or dispose of  
22 property subject to forfeiture in accordance with Rule 32.2(b)(3) of the Federal Rules of Criminal  
23 Procedure;

24 d. directs the United States to publish on a government website for at least thirty days,  
25 notice of this Order, notice of the government's intent to dispose of the property in such manner as the  
26 Attorney General may direct and provide notice that any person, other than the defendants, having or  
27 claiming a legal interest in the subject property must file a petition with the Court and serve a copy on  
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1 government counsel within thirty (30) days of the final publication of notice or of receipt of actual  
2 notice, whichever is earlier; and

3 e. the Court to retain jurisdiction to enforce the Preliminary Order of Forfeiture, and to amend  
4 it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

5 Dated: 9/1/15

Respectfully submitted,

6 MELINDA HAAG  
7 United States Attorney

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9 KATHRYN HAUN  
10 WILLIAM FRENTZEN  
11 ARVON J. PERTEET  
12 Assistant United States Attorneys  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that he caused a copy of the following documents:

- **APPLICATION OF THE UNITED STATES FOR A PRELIMINARY ORDER OF FORFEITURE; and**
- **[PROPOSED] PRELIMINARY ORDER OF FORFEITURE**

to be served this date by U.S. first class mail delivery and certified mail delivery upon the person(s) below at the place and address which is the last known address:

Craig Denney, Esq. Snell and Wilmer 50 W. Liberty Street, Suite 510 Reno, NV 89501 (Counsel for BRIDGES)	Steven Hale Levin, Esq. Levin and Curlett LLC 201 N. Charles Street, Suite 2000 Baltimore, MD 21201 (Counsel for BRIDGES)
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed this 2<sup>nd</sup> day of September, 2015, at San Francisco, California.

  
 HECTOR LOPEZ  
 FSA Paralegal III/AFU